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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4

Application Number	09/775,217
Filing Date	February 1, 2001
First Named Inventor	Hillbush
Art Unit	1634
Examiner Name	FREDMAN, Jeffrey Norman
Attorney Docket Number	NEU-00124.P.1

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div> <div>1. Revocation of Prior Powers and Appointment of Power of Attorney; 2. Copy of cover page of court order granting Trustee's Motion to sell assets; 3. Identification of Patent Application in Order; and 4. Postcard</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	David R. Preston & Associates		
Signature			
Printed name	David R. Preston		
Date	SEP 12, 2005	Reg. No.	38,710

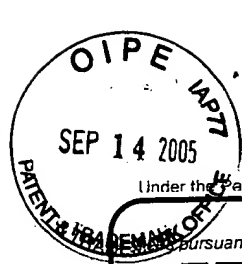
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Hal Gibson	Date	12 SEP '05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number	09/775,217
Filing Date	February 1, 2001
First Named Inventor	HILLBUSH
Examiner Name	FREDMAN, Jeffrey Norman
Art Unit	1634
Attorney Docket No.	NEU-00124.P.1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R Preston

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 38,710	Telephone 858-724-0375
Name (Print/Type)	David R. Preston	Date	5/12/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Patent

Attorney Docket No: NEU-00124.P.1

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Hillbush et al.)
)
Application Number: 09/775,217)
)
Filed: February 1, 2001)
)
For: SIMPLIFIED METHOD FOR)
INDEXING AND DETERMINING)
THE RELATIVE CONCENTRA-)
TION OF EXPRESSED)
MESSENGER RNA'S)
_____)

Commissioner for Patents
Alexandria, VA 22313-1450

Revocation of Prior Powers and Appointment of Power of Attorney

Sir:

I, Assignee of the above referenced U.S. Patent Application as shown on the attached:

1. Cover page of the Order On Trustee's Motion to Sell Assets to Neurome, Inc., Free and Clear Of Liens and Encumbrances and Assignment and Assumption of Designated Contracts to Neurome (herein referred to as ORDER); and
2. Identification of the Above referenced U.S. Patent Application included in the ORDER;

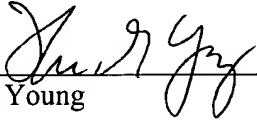
hereby revoke all previous powers and appoint collectively and individually the Attorneys and Agents provided on **CUSTOMER NUMBER 24232**, including David R. Preston (Reg. No. 38,710), to transact all business for the above referenced U.S. Patent Application before the United States Patent and Trademark Office.

I, further hereby state that the Assets of Digital Gene Technologies, Inc., including the above referenced U.S. Patent Application have been sold and assigned to Neurome, Inc. free and clear of liens and encumbrances according to ORDER.

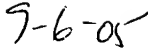
Please direct all Communications to:

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David R Preston & Associates
12625 High Bluff Drive
Suite 205
San Diego, CA 92130
Telephone No. 858-724-0375
Fax No. 858-724-0384

FOR NEUROME, INC.



Warren Young
President



Date

CSD 1001A [08/22/03]

Name, Address, Telephone No. & I.D. No.

Gary B. Rudolph, Esq. (#101921)

William P. Fennell, Esq. (#164210)

Yosina M. Lissebeck, Esq. (#201654)

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San Diego, CA 92101

Telephone (619) 239-3600

Attorneys for Gerald H. Davis, Chapter 7 Trustee



UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

DIGITAL GENE TECHNOLOGIES, INC.

[Tax Id. No. 33-0674676]

Debtor.

BANKRUPTCY NO. 04-03217-A7

Date of Hearing: July 8, 2004

Time of Hearing: 2:30 pm

Name of Judge: Louise DeCarl Adler

ORDER ON TRUSTEE'S MOTION TO SELL ASSETS TO NEUROME, INC., FREE AND CLEAR OF LIENS AND ENCUMBRANCES AND ASSIGNMENT AND ASSUMPTION OF DESIGNATED CONTRACTS TO NEUROME

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered seven through (56) with exhibits, if any, for a total of (63) pages, is granted. Motion/Application Docket Entry No. 62

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DATED: **July 13, 2004**

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:
SPARBER RUDOLPH ANNEN


Judge, United States Bankruptcy Court

By: /s/William P. Fennell
Attorneys for Gerald H. Davis, Chapter 7 Trustee

Y	OMM 216019-51/ MBHB 98.430	09/75,217 2/1/2001	U.S./ (Continuation-in-part to 98429 series)	US 2002/ 0012922 A1 1/31/02		Hilbush, Hasel, Sutcliffe, Chang, Callahan, Quan	1. A method for determining the relative concentration of expressed mRNAs (Non-Library TOGA)	Pending
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